

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

LIBERTY MUTUAL FIRE INSUR-)
ANCE COMPANY)

Plaintiff,)

v.)

CIVIL ACTION NO.
1:23-cv-02047-LMM

RED ROOF INNS, INC., RED ROOF)
FRANCHISING, LLC, RRI WEST)
MANAGEMENT, LLC, FMW RRI)
NC, LLC,)

Defendants,)

JANE DOE #1, JANE DOE #2, JANE)
DOE #3, JANE DOE #4, W.K., E.H.,)
M.M., R.P., M.B., D.P., A.F., C.A.,)
R.K., K.P., T.H., H.B., and K.M.)

Nominal Defendants.)

**DEFENDANTS RED ROOF INNS, INC., RED ROOF FRANCHISING, LLC,
RRI WEST MANAGEMENT, LLC, AND FMW RRI NC, LLC’S
WITHDRAWAL OF MOTION TO DISMISS FIRST AMENDED COM-
PLAINT AND MOTION FOR THE COURT TO TAKE JUDICIAL NOTICE**

Defendants Red Roof Inns, Inc., Red Roof Franchising, LLC, RRI West Management, LLC and FMW RRI NC, LLC (“Defendants”) hereby withdraw their Motion to Dismiss [Doc. 76] and Motion to Take Judicial Notice [Doc. 77] as moot in light of Plaintiff’s filing of its Second Amended Complaint [Doc. 79]. Defendants will file a renewed Motion to Dismiss the Second Amended Complaint on or before the responsive pleading deadline of October 4, 2024.

Respectfully submitted, this 24th day of September, 2024.

FELLOWS LABRIOLA LLP

/s/ Shattuck Ely

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*Attorneys for Defendants Red Roof Inns,
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Management, LLC, and FMW RRI, LLC*

CERTIFICATE OF FONT AND POINT SELECTION

Undersigned counsel hereby certifies, under LR 7.1(D), NDGa, that the foregoing was prepared in Times New Roman, 14-point font, which is one of the fonts and point selections approved in LR 5.1, NDGa.

/s/ Shattuck Ely
Shattuck Ely

CERTIFICATE OF SERVICE

I certify that this day, I electronically filed the foregoing using the Court's CM/ECF system, which will send email notification to all counsel of record.

Respectfully submitted, this 24th day of September, 2024.

/s/ Shattuck Ely
Shattuck Ely